

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	
)	NO. 2:19-CR-00010
v.)	
)	JUDGE CAMPBELL
GILBERT R. GHEARING)	

UNITED STATES' MOTION TO STAY

Pursuant to 18 U.S.C. § 3731, the United States of America, by and through its Attorney, the United States Attorney for the Middle District of Tennessee, requests that the Court stay the proceedings in the instant matter pending resolution of the United States' interlocutory appeal of the oral Order entered by the District Court in this case on September 6, 2022, during the pre-trial conference in this matter, excluding evidence at trial of Defendant's alteration of medical records for patients in the indictment. (DE# 151; 152.) *See Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal."). The government requests further that the Court exclude, for purposes of computing the time within which the trial of the offenses in this case must commence, any time between the filing of the United States' Notice of Appeal and resolution of the interlocutory appeal. *See* 18 U.S.C. § 3161(h)(1)(C).

Respectfully submitted,

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CERTIFICATE OF THE SERVICE

I certify that a copy of the was served electronically, via ECF, this 8th day September, 2022, upon the following:

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